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Letter dated 16 October 2006 from the Permanent Representative of the Sudan to the United Nations addressed to the President of the Security Council

In the process of the implementation of the Darfur Peace Agreement, His Excellency the President of the Republic issued, on 24 September 2006, six presidential decrees establishing the following implementation mechanisms provided by the Agreement:

1. Transitional Darfur Regional Authority;
2. The Darfur Compensation Commission for War-affected Persons;
3. The Darfur Compensation Fund for War-affected Persons;
4. Darfur Rehabilitation and Resettlement Commission;
5. Darfur Reconstruction and Development Fund;
6. Darfur Boundary Demarcation Commission.

Upon instructions from my Government, I have the honour to forward the six presidential decrees (see annex), and would be grateful if the present letter and its annex could be circulated as a document of the Security Council.

(*Signed*) Abdalmahmood Abdalhaleem **Mohamad**
Permanent Representative

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Annex to the letter dated 16 October 2006 from the Permanent Representative of the Sudan to the United Nations addressed to the President of the Security Council

[Original: Arabic]

I. Republican Decree No. 18 of 2006 establishing the Transitional Darfur Regional Authority

The President of the Republic,

In accordance with the provisions of article 58 (1) (b) of the Interim Constitution of the Sudan of 2005 and after consideration of article 4 and article 6, paragraph 48, of the Darfur Peace Agreement, has promulgated the Decree of which the text is as follows:

Name and entry into force of the Decree

1. This Decree shall be called Republican Decree No. 18 of 2006 establishing the Transitional Darfur Regional Authority and it shall enter into force from the date of its signature.

Establishment, constitution and work of the Transitional Darfur Regional Authority

2. (1) The Transitional Darfur Regional Authority shall be established in accordance with paragraph 48 the Darfur Peace Agreement.

(2) The Transitional Darfur Regional Authority shall be constituted in accordance with paragraph 50 of the Darfur Peace Agreement in the following manner:

(a)	The senior assistant to the President	Chairman
(b)	The governors of the three states of Darfur	Vice-chairmen
(c)	The chairman of the Darfur Rehabilitation and Resettlement Commission	Member
(d)	The chairman of the Darfur Reconstruction and Development Fund	Member
(e)	The chairman of the Darfur Land Commission	Member
(f)	The chairman of the Darfur Security Arrangements Implementation Commission	Member
(g)	The chairman of the Darfur Peace and Reconciliation Council	Member
(h)	The chairman of the Darfur Compensation Commission	Member
(i)	Those appointed by decree of the President of the Republic from among persons agreed by the Parties	Members

3. (a) The Transitional Darfur Regional Authority shall serve as a principal instrument for implementation of the Darfur Peace Agreement and the enhancement

of coordination and cooperation among the three states of Darfur and shall be a symbol of reconciliation and the unity of Darfurians in building a future based on peace and good neighbourliness.

(b) The Transitional Darfur Regional Authority shall operate under the supervision of the President of the Republic.

Competencies of the Transitional Darfur Regional Authority

4. (1) The senior assistant to the President of the Republic and chairperson of the Transitional Darfur Regional Authority shall be the fourth-ranking person in the Office of the President.

(2) Without prejudice to the Interim Constitution and the constitutional powers and functions of the three states of Darfur, the Transitional Darfur Regional Authority shall have the competencies set forth in paragraphs 53 and 54 of the Darfur Peace Agreement, as follows:

(a) It shall assume responsibility for coordinating the implementation and follow-up of the Darfur Peace Agreement, including in particular responsibility for facilitating the return of refugees and internally displaced persons, coordinating the establishment of security and promoting peace and reconciliation throughout the states of Darfur;

(b) It shall review and recommend legislative and executive measures designed to promote coordination and cooperation among the states of Darfur;

(c) It shall facilitate communication, cooperation and coordination among the governments of the states of Darfur;

(d) It shall facilitate the coordination of efforts for reconstruction, rehabilitation and sustainable development in Darfur;

(e) Without prejudice to the direct relationships between each Darfur state and the Government of the Sudan concerning administrative and financial affairs, it shall facilitate communication and interaction between the Federal Government and the three states of Darfur in the context of national unity and the Interim Constitution;

(f) It shall perform such other functions as may be agreed by the representative Parties in the Transitional Darfur Regional Authority with a view to promoting the objectives of this Agreement.

Competencies of the senior assistant to the President of the Republic and chairman of the Transitional Darfur Regional Authority

4. (3) The senior assistant to the President of the Republic and chairman of the Transitional Darfur Regional Authority shall exercise the competencies set forth in article 8, paragraph 66, of the Darfur Peace Agreement, as follows:

(a) He shall chair meetings of the Transitional Darfur Regional Authority, which, in the event of his absence, shall be chaired in rotation by one of the governors;

(b) He shall assist the President of the Republic in all matters relating to Darfur;

(c) He shall coordinate the implementation of plans, policies and programmes relating to Darfur, including rehabilitation, reconstruction and development, as well as facilitate the return of refugees and internally displaced persons;

(d) He shall, after consultation with the Parties, propose to the Office of the President nominees for the chairmanship of the following bodies:

(i) The Darfur Rehabilitation and Resettlement Commission;

(ii) The Darfur Reconstruction and Development Fund;

(iii) The Darfur Land Commission;

(iv) The Darfur Security Arrangements Implementation Commission;

(v) The Darfur Peace and Reconciliation Council;

(vi) The Darfur Compensation Commission;

(vii) Such other functions as may be agreed by the Parties or commissioned by the President of the Republic;

(e) The senior assistant to the President of the Republic and chairman of the Transitional Darfur Regional Authority shall, on submitting the nominations referred to in paragraph (d) above, give consideration to selecting prominent and well-respected individuals who are able to win the confidence of all parties.

5. Subject to the civil service laws, the Transitional Darfur Regional Authority shall establish its own administrative, executive and financial body and engage such personnel as it deems necessary to carry out its work, in accordance with paragraph 52 of the Darfur Peace Agreement.

Dispute between the Transitional Darfur Regional Authority and the states of Darfur

6. Where the senior assistant to the President of the Republic and chairman of the Transitional Darfur Regional Authority believes that the action of a state government is undermining implementation of the Darfur Peace Agreement, he shall refer the matter to the Office of the President of the Republic for resolution by consensus, in accordance with paragraph 54 of the Darfur Peace Agreement.

Reports

7. The Transitional Darfur Regional Authority shall submit semi-annual reports to the Office of the President of the Republic.

Financial provisions

Resources

8. The Transitional Darfur Regional Authority shall have the following financial resources:

(a) Such funds as are allocated to it by the State;

(b) Grants and gifts accepted by the Transitional Darfur Regional Authority with the approval of the President of the Republic;

(c) The Government of the Sudan shall establish a special fund for the receipt of international donor funds for the programmes of the Transitional Darfur Regional Authority.

Budget

9. (1) The Transitional Darfur Regional Authority shall have an independent budget, prepared in accordance with sound budgeting principles, that it must submit to the competent bodies in sufficient time before the end of each financial year for its incorporation into the general State budget.

(2) The Federal Government shall authorize an appropriate budget to finance the activities of the Transitional Darfur Regional Authority.

Accounts

10. The Transitional Darfur Regional Authority shall keep full and proper accounts of its activities, as well as books and records relating thereto, in accordance with the laws and regulations.

Deposits

11. The Transitional Darfur Regional Authority shall deposits its funds in the Central Bank, provided that transactions and withdrawals in connection with such accounts are made in the manner prescribed by the financial regulations.

Auditing

12. The General Audit Office or its delegate shall audit the accounts of the Transitional Darfur Regional Authority at the end of every financial year.

Regulations

13. The Transitional Darfur Regional Authority may issue such rules of procedure as are necessary for the implementation of this Decree, with the approval of the Office of the President of the Republic.

Issued under my signature on the second day of the month of Ramadan A.H. 1427, corresponding to the twenty-fourth day of the month of September A.D. 2006.

(*Signed*) Omar Hassan **Al-Bashir**
President of the Republic

2. Republican Decree No. 19 of 2006 establishing the Darfur Compensation Commission for War-affected Persons

The President of the Republic,

In accordance with the provisions of article 58 (1) (m) of the Interim Constitution of the Sudan of 2005 and after consideration of article 21, paragraphs 200 and 201, of the Darfur Peace Agreement, has promulgated the Decree of which the text is as follows:

Name and entry into force of the Decree

1. This Decree shall be called Republican Decree No. 19 of 2006 establishing an independent and impartial commission named the Darfur Compensation Commission for War-affected Persons and it shall enter into force from the date of its signature.

Objectives of the Compensation Commission for War-affected Persons in Darfur

2. The objectives of the Commission shall be as follows:

(a) To affirm the inalienable right of war-affected persons in Darfur to have their grievances addressed and ensure that they are compensated for harm, including physical and moral injury, and all matters relating to the armed conflict in Darfur;

(b) To act in conjunction with the competent bodies in order to procure resources for the process of restituting property and providing compensation.

Constitution of the Commission

3. (1) The membership of the Commission shall, in accordance with article 21, paragraph 202, of the Darfur Peace Agreement, be constituted in the following manner:

(a) A number of persons appointed by the Parties;

(b) A number of persons representing war-affected groups;

(c) A number of leaderships from the civilian administration;

(d) An effective representation of women.

(2) The Commission members referred to in paragraphs (b), (c) and (d) shall be appointed by consensus.

(3) The Commission chairman and members referred to in paragraphs (1) and (2) above shall be appointed by decree of the President of the Republic.

Competencies of the Commission

4. Without prejudice to the authority of the courts, the Compensation Commission shall have the following competencies and powers:

(a) It may process compensation claims submitted by Darfurians having suffered harm, including physical, mental and emotional injury or human, economic or other losses relating to the armed conflict in Darfur;

(b) It may settle claims through conciliation or through the application of laws and traditional or customary practices;

(c) It may issue liability orders for the restitution of or payment of compensation for property against persons proven by the Committee to be jointly liable for compensable loss or damage to property;

(d) It may set a time limit for the payment of monetary compensation awarded by the Commission;

(e) It may establish local branches and specialized chambers to assist it in the performance of its work;

(f) It may appoint experts to work under its supervision.

5. (1) Awards made by the Commission within its competence for the restitution of or compensation for property shall be binding.

(2) Awards made by the Commission shall include the payment of one or more of the following forms of compensation:

(a) Restitution of stolen, lost or damaged property;

(b) Payment of monetary compensation;

(c) Rehabilitation, including medical and psychological care;

(d) Provision of legal assistance and social services;

(e) Acknowledgement and acceptance of liability;

(f) Guarantees of non-repetition;

(g) Traditional forms of compensation.

Procedures of the Compensation Commission

6. (1) The Compensation Commission shall elaborate its own rules of procedure on the basis of international principles and practices, national law, other laws and customary practices.

(2) Without prejudice to any of the above, the Commission shall have regard for, inter alia, the following principles and considerations:

(a) The principle of fair and just restitution for lost or damaged property;

(b) The principle of providing other compensation where the restitution of property is impossible;

(c) The principle of no double payment of compensation for the same lost property;

(d) The principle of a distinction between an award for restitution of or compensation for property and punishment under criminal law;

(e) Due consideration for the needs of vulnerable groups such as women and children;

(f) Regard for the ability of the perpetrator(s) of the misdemeanour to pay monetary compensation.

(3) The Commission shall coordinate its work with the Darfur Rehabilitation and Resettlement Commission and the Property Claims Committees.

(4) The Commission shall refer property-related disputes arising from the restitution process to the Property Claims Committees.

Dispute between the Commission and Committees

7. Any dispute arising between the Compensation Commission and the Property Claims Committees that cannot be settled between them shall be referred to the Darfur Rehabilitation and Resettlement Commission for settlement.

Powers of the Compensation Commission

8. The Compensation Commission shall have the following powers:

(a) Awards made by the Commission within its competence for the restitution of or compensation for property shall be binding;

(b) It may withdraw sums of money from the Darfur Compensation Fund for War-affected Persons in order to satisfy awards that it makes for the payment of monetary compensation on an interim basis insofar as the sums awarded must be paid within 60 days of the issuance of the compensation award.

Statute of limitations

9. The Compensation Commission may not consider any claim for compensation submitted more than 10 years after the date of entry into force of the Darfur Peace Agreement.

Review and enforcement of awards made by the Commission

10. (1) Awards made by the Commission shall be appealed before the courts of appeal in accordance with the Code of Civil Procedures of 1983.

(2) The competent criminal court shall be responsible for the enforcement of awards made by the Compensation Commission.

Headquarters of the Commission

11. The official headquarters of the Compensation Commission shall be as agreed by the Parties.

Budget of the Commission

12. The Ministry of Finance and National Economy shall provide the funds necessary for the activities of the Compensation Commission.

Secretariat

13. The Commission may designate a secretariat to assist it in performing its activities and monitoring the enforcement of its awards.

Regulations

14. The Commission may elaborate such regulations as are necessary for the implementation of this Decree.

Issued under my signature on the second day of the month of Ramadan A.H. 1427, corresponding to the twenty-fourth day of the month of September A.D. 2006.

(*Signed*) Omar Hassan **Al-Bashir**
President of the Republic

3. Republican Decree No. 20 of 2006 establishing the Darfur Compensation Fund for War-affected Persons

The President of the Republic,

In accordance with the provisions of article 58 (1) (m) of the Interim Constitution of the Sudan of 2005 and after consideration of article 21, paragraph 20, of the Darfur Peace Agreement, has promulgated the Decree of which the text is as follows:

Name and entry into force of the Decree

1. This Decree shall be called Republican Decree No. 20 of 2006 establishing a Darfur compensation fund for war-affected persons and it shall enter into force from the date of its signature.

Constitution of the Board of the Fund

2. (1) The Darfur Compensation Fund for War-affected Persons shall be constituted by decree of the President of the Republic after consultation with the chairman of the Transitional Darfur Regional Authority in the following manner:

(a) Two representatives of the Government of National Unity;

(b) Two representatives of the Sudan Liberation Movement/Army and the Justice and Equality Movement;

(c) Four members, nominated by the states of Darfur, from affected groups and leaders of the civilian administration;

(d) An equal number of members from the Government of the Sudan and the other signatories agreed by the Parties.

(2) The Board shall be responsible to the President of the Republic for the performance of its activities.

Board meetings

3. (1) The Board of the Fund shall meet once every three months at the invitation of its chairman. An emergency meeting shall also be held if so requested by its chairman or a majority of its members.

(2) The quorum for meetings of the Board of the Fund shall be achieved with the attendance of a majority of members and decisions of the Board shall be approved by consensus of those attending and, where such is impossible, by a majority.

Competencies and powers

4. The Board of the Darfur Compensation Fund for War-affected Persons shall be competent to develop the plans, policies and programmes of the Fund and all general activities that enable the Fund to achieve its purposes and, without prejudice to any of the above, it shall be competent to carry out the following:

(a) Develop the general policies and plans for administration of the Fund and evaluate the Fund's performance;

(b) Draw up the Fund's annual budget;

(c) Elaborate criteria, principles and rules relating to compensation;

(d) Recommend to the Government of National Unity and the state governments to contribute to the Fund in order to meet such requirements as compensation;

(e) Take into account the customary practices followed by Darfur tribes in matters of compensation;

(f) Form a committee or committees of Board members and determine the mandate of such committees;

(g) Such other competencies as are necessary to achieve the purposes of the Fund.

Fund management committee

5. (1) A committee known as the Management and Oversight Committee shall be responsible for managing the Fund and supervising the organization of its activities.

(2) The Management and Oversight Committee shall be appointed by decree of the President of the Republic in the following manner:

(a) One representative of each of the three states of Darfur to be nominated through the legislative body of the state concerned;

(b) Three representatives of national ministries, provided that they include the Minister of Finance and National Economy.

(3) The Committee shall prepare and submit to the Board draft regulations, budgets and plans.

(4) The chairman of the Committee shall administer the assets of the Fund, conclude contracts and enter into commitments.

(5) The chairman of the Committee shall appoint personnel for the Fund with the approval of the chairman of the Board and in accordance with the structure agreed by the Board.

Financial provisions

6. The Fund's resources shall consist of the following:

(a) A contribution of US$ 30 million as an initial contribution from the capital of the Compensation Fund;

(b) Contributions from state governments and national institutions, bodies and companies, as well as from States and national, regional and international funds;

(c) Gifts and loans.

Disbursements

7. The financial resources of the Fund shall be used to achieve its purposes and, without prejudice to any of the above, those resources shall be used as follows:

(a) To pay interim monetary compensation in accordance with awards made by the Compensation Commission;

(b) To support production inputs (crops, livestock, veterinary medicines, agricultural tools, etc.);

(c) To cover the cost of providing legal assistance and social services;

(d) To cover the Fund's own costs, such as staff allowances and dues and general running costs.

Accounts and auditing

8. (1) The Fund shall keep full and proper accounts of its activities in accordance with sound accounting principles.

(2) The Fund shall keep its reserves and funds and deposit them in banks specified by the Board.

(3) The General Audit Office shall audit the Fund's accounts no later than three months after the end of each financial year.

(4) The Board shall submit to the President of the Republic, as well as to the National Assembly, the State Assembly and the Assemblies of the three states of Darfur, no later than three months after the end of the financial year a statement of the Fund's final account, together with the report of the General Audit Office.

Headquarters of the Fund

9. The Darfur Compensation Fund for War-affected Persons shall have its headquarters in Khartoum and may establish branches in the three states of Darfur or elsewhere.

Regulations

10. The Board shall issue such regulations as are necessary for implementation of the provisions of this Decree, with the approval of the President of the Republic.

Issued under my signature on the second day of the month of Ramadan A.H. 1427, corresponding to the twenty-fourth day of the month of September A.D. 2006.

(*Signed*) Omar Hassan **Al-Bashir**
President of the Republic

4. Republican Decree No. 21 of 2006 establishing the Darfur Rehabilitation and Resettlement Commission

The President of the Republic,

In accordance with the provisions of article 58 (1) (m) of the Interim Constitution of the Sudan of 2005 and after consideration of article 21, paragraph 182, of the Darfur Peace Agreement, has promulgated the Decree of which the text is as follows:

Name and entry into force of the Decree

1. This Decree shall be called Republican Decree No. 21 of 2006 establishing a Darfur rehabilitation and resettlement commission and it shall take effect from the date of its signature.

Constitution of the Commission

2. (1) In accordance with the schedule annexed to the Darfur Peace Agreement concerning urgent programmes for displaced persons, refugees and war-affected persons, a commission known as the Darfur Rehabilitation and Resettlement Commission shall be constituted.

(2) The Commission referred to in paragraph (1) above shall be composed of a chairman and a number of members from national ministries, state governments and relevant institutions.

(3) The chairman of the Darfur Rehabilitation and Resettlement Commission shall be appointed by decree of the President of the Republic at the nomination of the chairman of the Transitional Darfur Regional Authority, in accordance with article 8, paragraph 66 (e), of the Agreement.

(4) The members of the Transitional Darfur Regional Authority shall be appointed by decree of the President of the Republic.

Competencies of the Commission

3. The Darfur Rehabilitation and Resettlement Commission shall, in accordance with article 21, paragraph 182, of the Darfur Peace Agreement, be competent to:

(a) Implement strategies and operations for surveying, assessment and monitoring of the situation of displaced and war-affected persons;

(b) Compile reports on displaced and war-affected persons and submit such reports to the appropriate level of Government;

(c) Provide information on and relating to surveying, assessment and monitoring strategies and operations, which, pursuant to paragraph 188 of the Agreement, shall include the following:

(i) Activities aimed at achieving reconciliation and peacebuilding, including through reconciliation councils;

(ii) Traditional dispute-resolution mechanisms;

(d) Provide essential food, shelter and drinking water for displaced persons en route to the return areas and ensure women's participation in the

planning and distribution of such essential items, in accordance with paragraph 187 of the Agreement;

(e) Supply the agricultural production inputs required for crops and livestock, such as seeds, veterinary services, tools and essential items, in accordance with paragraph 179 of the Agreement;

(f) With the support of the relevant authorities and with the assistance of the African Union and the international community, guarantee the rights set forth in paragraphs (d) and (e), as well as other fundamental rights, and meet the needs of returnees, in accordance with paragraph 181 of the Agreement;

(g) In cooperation with the relevant authorities, assist in activities for the rehabilitation and integration of orphans and other persons with special needs, in accordance with paragraph 189 of the Agreement;

(h) In cooperation with the relevant authorities, work for the issuance of passports, identity cards, birth and marriage certificates and any title deeds, facilitate the issuance of substantiating documents or replacements for lost documents, unconditionally and without cost, and seek assistance, where necessary, from the traditional administration or local community leaderships for the purpose of establishing identity, in accordance with article 191 of the Agreement;

(i) Refer disputes relating to the delivery of humanitarian assistance to the competent national Government authorities, in accordance with paragraph 184 of the Agreement.

Powers of the Commission

4. The Commission shall have the following powers:

(a) It shall establish independent and impartial committees known as Property Claims Committees in both rural and urban areas to deal with all property-related disputes or disputes arising from the return process, in accordance with paragraph 197 of the Agreement;

(b) It shall establish independent and impartial subcommittees in each of the three states of Darfur and shall draw up for each committee guidelines on which the subcommittees shall base their procedures, in accordance with the schedule annexed to the Darfur Peace Agreement;

(c) It shall request the relevant authorities, where necessary, to establish independent courts and other mechanisms to ensure prompt access to justice, in accordance with paragraph 190 of the Agreement.

Property restitution procedures

5. (1) In accordance with paragraph 195 of the Agreement, the Commission shall, in cooperation with the relevant authorities, elaborate property restitution procedures that are simple, transparent and enforceable:

(a) All aspects of the restitution claim process, including appeal procedures, shall be fair, timely and free of charge and shall take into account age and gender;

(b) The procedures shall comprise positive measures to ensure that women are able to participate in the process on a fully equal basis.

(2) Compensation for property shall be given in place of restitution in cases where it is categorically established, pursuant to the procedures set forth in the Darfur Peace Agreement, that restitution is impossible, in accordance with paragraph 196 of the Agreement.

Budget of the Commission

6. The Ministry of Finance and National Economy shall provide the funds needed to facilitate the work of the Commission.

Headquarters of the Commission

7. The Darfur Rehabilitation and Resettlement Commission shall have its main headquarters in Khartoum.

Secretariat of the Commission

8. The Darfur Rehabilitation and Resettlement Commission shall establish its own secretariat to assist it in the performance of its activities.

Rules and procedures

9. The Darfur Rehabilitation and Resettlement Commission shall elaborate such rules and procedures as are necessary.

Issued under my signature on the second day of the month of Ramadan A.H. 1427, corresponding to the twenty-fourth day of the month of September A.D. 2006.

(*Signed*) Omar Hassan **Al-Bashir**
President of the Republic

5. Republican Decree No. 22 of 2006 establishing the Darfur Reconstruction and Development Fund

The President of the Republic,

In accordance with the provisions of article 58 (1) (m) of the Interim Constitution of the Sudan of 2005 and after consideration of article 19, paragraphs 153 and 154, of the Darfur Peace Agreement, has promulgated the Decree of which the text is as follows:

Name and entry into force of the Decree

1. This Decree shall be called Republican Decree No. 22 of 2006 establishing a Darfur reconstruction and development fund and it shall take effect from the date of its signature.

Constitution of the Fund

2. (1) In accordance with the implementation schedule annexed to the Darfur Peace Agreement, the Darfur Reconstruction and Development Fund shall be constituted in the following manner:

(a) Representatives of the Government of National Unity;

(b) Representatives of the states of Darfur;

(c) Donor States.

(2) The chairman of the Transitional Darfur Regional Authority shall, after consultation with the other Parties, propose nominees for the chairmanship of the Fund, one of whom shall be appointed through the President of the Republic.

Fund Oversight Committee

3. (1) In accordance with the implementation schedule annexed to the Darfur Peace Agreement:

(a) The Darfur Reconstruction and Development Fund shall have a committee called the Oversight Committee;

(b) The President of the Republic shall appoint the chairman and members of the Oversight Committee, the membership of which shall be constituted in the following manner:

(i) One representative from each of the three states of Darfur, who shall be nominated through the concerned legislative body;

(ii) Three representatives from the ministries of the Government of National Unity.

(2) The decisions of the Committee shall be adopted by consensus.

(3) The Oversight Committee shall draw up its own rules and procedures.

(4) The Oversight Committee shall appoint an executive board for the Darfur Reconstruction and Development Fund and shall specify its functions and competencies.

Management of the Fund

4. The Fund shall be managed in accordance with article 19, paragraph 154, of the Agreement in the following manner:

(a) The Darfur Reconstruction and Development Fund shall be professionally and transparently managed;

(b) An effective monitoring and assessment system shall be developed in order to guarantee accountability, transparency, equity and fairness in connection with the utilization of funds.

Competencies of the Fund

5. The Darfur Reconstruction and Development Fund shall, in accordance with article 19, paragraph 154 (a), of the Agreement, be competent to:

(a) Solicit, raise and collect funds from domestic and international donors;

(b) Disburse funds for the resettlement, rehabilitation and reintegration of refugees and internally displaced persons;

(c) Rectify the imbalance in development, particularly in regard to infrastructure;

(d) Establish funding mechanisms to address women's needs, in accordance with article 19, paragraph 154 (d), including:

(i) The creation of investment opportunities;

(ii) Capacity-building for production;

(iii) The grant of loans and production inputs;

(iv) Women's capacity-building.

Responsibility of the Fund

6. The Darfur Reconstruction and Development Fund shall be responsible for the management of its resources and expenditures, in accordance with article 19, paragraph 154 (c) of the Agreement, under the supervision of the President of the Republic.

Financial resources of the Fund

7. (1) The financial resources of the Darfur Reconstruction and Development Fund shall, in accordance with article 19, paragraphs 153 and 154 (c) of the Agreement, be constituted in the following manner:

(a) The agreed sums for the years 2006, 2007 and 2008, which are to be allocated by the National Government from the National Revenue Fund;

(b) Darfur's share from transfers of funds from the National Revenue Fund;

(c) The share of the National Government towards the Joint Assessment Mission, as determined at the Donors' Conference;

(d) Sums determined by the Joint Assessment Mission in connection with the completion of development projects.

2. The financial resources of the Fund shall be used to achieve its goals in the manner prescribed by the regulations.

Budget of the Fund

8. (1) The Darfur Reconstruction and Development Fund shall have an annual budget in which regard the manner of its preparation and all related matters shall be prescribed by the regulations.

(2) Proposals for the Fund's budget shall be prepared in accordance with the accounting principles in force and shall be submitted no later than three months after the end of each financial year for approval by the Office of the President of the Republic and its incorporation into the general budget.

Deposit of the Fund's assets

9. The funds of the Darfur Reconstruction and Development Fund shall be deposited in current or investment accounts in banks approved by the Bank of Sudan.

Accounts

10. (1) The Darfur Reconstruction and Development Fund shall keep systematic revenue and expenditure accounts.

(2) The Darfur Reconstruction and Development Fund shall prepare the statement of accounts and the budget provided for in article 8 at the end of the financial year.

Audit

11. The General Audit Office shall audit the final accounts of the Darfur Reconstruction and Development Fund and submit the report thereon to the President of the Republic.

Headquarters

12. The Darfur Reconstruction and Development Fund shall have its main headquarters in Khartoum and may establish branches in the three states of Darfur.

Regulations

13. The Darfur Reconstruction and Development Fund shall issue such regulations as are necessary for the implementation of this Decree, with the approval of the President of the Republic.

Issued under my signature on the second day of the month of Ramadan A.H. 1427, corresponding to the twenty-fourth day of the month of September A.D. 2006.

(*Signed*) Omar Hassan **Al-Bashir**
President of the Republic

6. Republican Decree No. 23 of 2006 establishing a boundary demarcation commission

The President of the Republic,

In accordance with the provisions of article 58 (1) (m) of the Interim Constitution of the Sudan of 2005 and after consideration of article 4 and article 6, paragraph 61, of the Darfur Peace Agreement, has promulgated the Decree of which the text is as follows:

Constitution of the Technical Commission

1. A technical commission to demarcate the northern boundaries of Darfur shall be constituted in the following manner:

(1)	A representative of the Ministry of Federal Government	Chairman
(2)	A representative of the Ministry of the Interior	Member
(3)	A representative of the Ministry of Defence	Member
(4)	A representative of the Ministry of Justice	Member
(5)	Two representatives of the Sudan Liberation Movement/Army	Member
(6)	A representative of the Justice and Equality Movement	Member
(7)	A representative of Northern Darfur state	Member
(8)	A representative of the Northern state	Member
(9)	A representative of the National Survey Authority — member and rapporteur	Member

Competencies of the Commission

2. Without prejudice to the provisions of the Comprehensive Peace Agreement concerning the boundaries between north and south and any international agreements in force between the Republic of the Sudan and neighbouring countries, the Technical Commission shall be competent to work on demarcating the northern boundaries of Darfur in line with those which prevailed at 1 January 1956, in accordance with article 6, paragraph 61, of the Agreement.

Powers and authorities of the Commission

3. The Commission shall have the following powers and authorities:

(a) It may examine all maps, diagrams and deeds;

(b) It may visit the boundary locations dividing the state of Northern Darfur state and the Northern state;

(c) It may meet tribal heads and members of the civilian administration in the areas in order to solicit and hear their statements and examine any documents that they may submit;

(d) It may seek such help as it deems appropriate from experts and knowledgeable authorities.

Report of the Commission

4. The Technical Commission shall submit its report to the Office of the President of the Republic on the results of its work not later than one year after the date of promulgation of this Decree.

Budget and secretariat of the Commission

5. (1) The Ministry of Finance and National Economy shall ensure the provision of such funding as is necessary for the Commission to perform its functions.

(2) The Executive Bureau of the Office of the President of the Republic shall designate the secretariat of the Commission.

Issued under my signature on the second day of the month of Ramadan A.H. 1427, corresponding to the twenty-fourth day of the month of September A.D. 2006.

(*Signed*) Omar Hassan **Al-Bashir**
President of the Republic